

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARY ELLEN O'ROURKE, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
THOMAS O'ROURKE,

Plaintiff,

CASE NUMBER: 10-14374
HONORABLE VICTORIA A. ROBERTS
MAG. JUDGE MARK RANDON

v.

AMERICAN EXPRESS CORPORATION,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

On September 8, 2011 Magistrate Judge Randon issued a Report and Recommendation [Doc.38], recommending that Defendant's Motion for Costs and Attorney fees [Doc.33] be denied. Neither party filed objections within the fourteen day period pursuant to Fed.R.Civ.P 72(b) and 28 U.S.C. § 636(b)(1). Thus, the Court adopts the Report and Recommendation. Defendant's Motion is **DENIED**.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: October 14, 2011

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 14, 2011.

S/Linda Vertriest
Deputy Clerk